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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,154	10/23/2001	Koteswerrao S. Adusumilli	42390P12318	2225

7590

07/27/2006

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EXAMINER
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BROWN, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/000,154	<b>Applicant(s)</b> ADUSUMILLI ET AL.	
	<b>Examiner</b> Christopher J. Brown	<b>Art Unit</b> 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 18-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/25/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The declaration filed on 6/22/06 under 37 CFR 1.131 has been considered but is ineffective to overcome the Gast US 2003/0046532 A1 reference.

The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Gast reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897). The declaration is insufficient to establish conception of the invention prior to the effective date of the Gast reference because appendix A does not mention use of ports or use of ports and logic to indicate which security format should be used based on port number.

### ***Response to Arguments***

2. Applicant's arguments, see filed 6/22/06, with respect to 112 2<sup>nd</sup> rejection have been fully considered and are persuasive. The rejection of claim 35 has been withdrawn.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 18, 22-29, 31-34, 36, 38-40, and 42-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Strahm US 2002/0133598.

As per claims 18, 29, and 36, Strahm teaches a security format conversion system including from wired SSL or wireless WTLS, [0024], [0026], [0034], [0045]. Strahm teaches converting the encrypted data to a different format (unencrypted), [0034]. Strahm teaches a network interface and a server to receive converted data, [0034].

As per claims 22, 31, 38, and 40, Strahm teaches that the security format may be from a WTLS format, or an SSL format after receiving indications from the network, [0024].

As per claims 23, 32, 39, and 42, Strahm teaches that a conversion may be from a WTLS format to plain data [0024], [0033], [0034]..

As per claims 24, and 25, Strahm teaches determining format based on a received data including port, and security feature information, [0024].

As per claims 26-28, 33, and 34, Strahm teaches that the converter is one network device, and is located at a network choke point (firewall), [0034].

As per claims 43-46, Strahm teaches that it provides plain data from the firewall via a network interface to a server [0034], Fig 2.

As per claim 47 Strahm teaches a security format conversion system including from wired SSL or wireless WTLS, [0024], [0026], [0034], [0045]. Strahm teaches converting the encrypted data to a different format (unencrypted), [0034]. Strahm teaches a network interface and a server to receive converted data, and send it over the private network [0034].

Strahm teaches that the security format may be from a WTLS format, or an SSL format after receiving indications from the network, [0024].

Strahm teaches that a client can be a cell phone [0011]. Strahm teaches a client can be a personal computer [0011].

As per claim 48, Strahm teaches that switches direct information to the first interface and from the second interface [0045].

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, 20, 21, 30, 37, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strahm US 2002/0133598.

As per claims 19, 20, 21, 30, 37, and 41 Strahm teaches basing security format based on received data, including port number, [0024]. Strahm teaches receiving data using a plurality of protocols, [0024]. Examiner takes official notice that a well known security port is port 443, and that ports 9208-9282 are unassigned and would be obvious choices for an application to use.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strahm US 2002/0133598 in view of Martin US 7,055,171.

As per claim 35, Strahm does not teach performing at least a portion of the action in hardware.

Martin teaches that the firewall may be made at least in part, by hardware, (Col 6 lines 20-35).

It would have been obvious to of ordinary skill in the art to use hardware in order to free up the main CPU resources running software.

### *Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jaques Louis Jaques can be reached on (571)272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2134

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher J. Brown

7/19/06



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